REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

CONCURRENT IDS SUBMISSION

Submitted concurrently herewith is an Information Disclosure Statement (IDS) with Form(s) PTO/SB/08B, as indicated on page 2 of the Office Action. Applicant respectfully requests the Examiner to return an initialed copy of the Form(s) to indicate consideration of the information listed thereon.

DISCLOSURE/SPECIFICATION AMENDMENT(S)

The disclosure/specification has been objected to because of the Office Action concerns listed within the "Specification" section on page 3 of the Office Action. As the disclosure/specification has been carefully reviewed and has been amended where appropriate in order to address each of the Office Action listed concerns, reconsideration and withdrawal of the objection to the disclosure/specification are respectfully requested. The Examiner's kind amendments suggestions (within the Office Action) have been adopted.

PENDING CLAIMS

Claims 1-4 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1, 3 and 5-6 will be pending for further consideration and examination in the application.

CLAIM OBJECTIONS OBVIATED VIA CLAIM AMENDMENT

Claims 1 and 3 have been objected to because of the Office Action concerns listed within the "Claim Objections" section on page 4 of the Office Action. As amendments have been made where appropriate in order to address each of the Office Action listed concerns, reconsideration and withdrawal of the claim objection are respectfully requested.

'101 REJECTION - ALLEGED "NON-STATUTORY SUBJECT MATTER"

Claim 1 has been rejected under 35 USC 101, based upon an allegation that Applicant's recited claim(s) is directed to non-statutory subject matter. **Traversal is appropriate**. However, Applicant respectfully submits that present amendments to ones of the rejected claims even further define the rejected claims within proper 101 subject matter, and have obviated the rejection. Based upon the foregoing, reconsideration and withdrawal of the '101 rejection are respectfully requested.

In the event that the Examiner determines that any of the present claims do not satisfy the statutory subject matter requirement under '101 and are still directed to non-statutory subject matter, Applicant and the Undersigned ask the Examiner to telephone the Undersigned at the local Washington, D.C. area telephone number of 703-312-6600, or to draft any Office Action rejection, with recommended amendments which would obviate the '101-rejection. The Examiner is thanked in advance for such helpful considerations.

REJECTIONS UNDER 35 USC '102 - TRAVERSED

The 35 USC '102 rejection of claims 1 and 3 as being anticipated by Schmidt et al. (U.S. Patent Pub 2005/0177635) is respectfully traversed. Insofar as any such rejection applies to Applicant's presently-clarified claims, Applicant respectfully submits the following. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, regarding any descriptions and rebuttal arguments concerning Applicant's invention and/or the applied prior art as included herein, yet found to be corrective over prior descriptions and rebuttal arguments, such corrective descriptions and rebuttal arguments should be considered to supersede prior

descriptions and rebuttal arguments. Still further, all Office Action statements

regarding the prior art rejections are respectfully traversed. As additional arguments,

Applicant respectfully submits the following.

Applicant's present invention according to clarified claims 1 and 3, discloses

setting an error processing for each combination of a virtual machine and a type of

resource.

On the other hand, Schmidt discloses an aspect different than an error

processing is set for each combination of an application and a type of resource.

In further detailing Applicant's invention, a feature of Applicant's present

invention is intended to be applied to a built-in device, such as a car navigation

system or the like, and a presumed user of the device is not a technical expert, but a

general user. In a disadvantaged arrangement, the error processing is required to be

incorporated in the device at the time of shipment of the product. However, it is

impossible to predict all the errors that might emerge while all the applications being

performed on the device and to design the processing to deal with all the errors at

the time of shipment of the product. Thus, Applicant's present invention introduces a

scheme to set the error processing for each combination of a virtual machine and a

type of resource, and thereby managing the resources of the built-in devices such as

a car navigation system.

On the other hand, the feature of Schmidt is intended to be applied to a server

and a presumed user of the device is a technical expert such as an administrator of

the server. Thus, it is possible to prepare a suitable error processing specifically

designed for each of an application when the application is incorporated in the

device.

The features of Applicant's present invention and the invention of Schmidt are directed to separate machine environments and types of users, and since Applicant's present invention can provide a machine environment suitable for a general user, the effect identified by Applicant's present invention is distinguishing over the cited art.

According to the paragraphs 0036 and 0037 of the cited reference, one virtual machine is configured to execute one application, and if the number of applications is increasing, accordingly, the number of virtual machines is increasing, too.

However, resources to incorporate a built-in device such as a car navigation system are somehow limited in view of price and cost saving, and therefore, not so many virtual machines are operated (maximum four machines, for example). In this regard, the invention of Schmidt is not adapted to a built-in device such as a car navigation device. Basically, the invention of Schmidt is directed to devices equipped with relatively abundant resources such as servers.

In contrast, Applicant's present invention according to claims 1 and 3 is suitably adaptable to the built-in device such as a car navigation device. Since each of the virtual machines is configured to execute a plurality of intermediate code programs, so many virtual machines need not be operated.

A configuration that each of Applicant's virtual machines executes one or more intermediate code program is supported, for example, by the description of the paragraph 0035 or the like. According to Applicant's present invention, each of the virtual machines is intended to execute a plurality of intermediate code programs which are switched sequentially. Technically, the intermediate code program is executed one-by-one, however, in a case where an execution of a specific intermediate code program lasts more than a predetermined time period, or in a case

where the execution of the intermediate code program is suspended by data input-

output standby state, it is configured to execute an alternative intermediate code

program. This feature is supported by the description of Fig. 2. The description of

Fig. 2 identifies an example that an application for reproducing music and an

application for news delivery are respectively using a file resource used by the virtual

machine 1a2.

Regarding distinguishing features/limitations, <u>independent claim 1</u> (taken as

an example) recites, "1. (Currently Amended) An information terminal comprising, **a**

plurality of virtual machines which execute, on an OS (Operating System), **one**

or more intermediate code programs that are programs represented by an

intermediate code; a resource limit value storing unit which stores a limit value of a

computer resource which is usable by said virtual machine; **a process-when-**

violation-occurs-storing-unit which stores a process to handle a case when a

virtual machine computer resource request exceeds a limit value for each

combination of a virtual machine and computer resource; and a resource

managing unit in which when a request for securing a resource is received from said

virtual machine, the limit value stored in said resource limit value storing unit and

assigned to said virtual machine which sends the request for securing a resource is

referred to, and if the computer resource that becomes available for said virtual

machine by securing the computer resource in response to the request **is lower**

than said limit value, said OS is requested to secure the computer resource in

response to the request, and if the computer resource that becomes available

for said virtual machine by securing the computer resource in response to the

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request is equal to or higher than said limit value, said OS is not requested to secure the computer resource in response to the request, wherein: said resource managing unit, if the computer resource that is available for said virtual machine by securing the computer resource in response to the request **is equal to or higher than said limit value, refers to said process-when violation-occurs-storing-unit, specifies a process to handle a case corresponding to a combination of the virtual machine sending said request and computer resource requested by said virtual machine**, and executes the specified process to handle a case; wherein at least one of: the plurality of virtual machines; the resource limit value storing unit; the process-when-violation-occurs-storing-unit; and, the resource managing unit, is effected at least in part by a hardware processor." Independent method claim 3 contains similar or analogous features/limitations. Added independent claim 5 (derived from independent claim 1) alternatively recites: "a plurality of virtual machines, **with each virtual machine configured to sequentially execute**, on an OS (Operating System), **plural** intermediate code programs that are each a program represented by an intermediate code;". Independent claim 6 (derived from independent claim 3) contains similar or analogous features/limitations.

      No other previously-applied and/or known reference cures the major deficiencies mentioned above with respect to the above-discussed reference(s). Given that the previously-applied and/or known references are mutually deficient in at least one regard, it is respectfully submitted that the previously-applied and/or known references (whether taken individually, or in combination) would not have disclosed or suggested Applicant's claimed invention.

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As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '102 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '102 rejection, and express written allowance of all of the '102 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to

maintain no intention or desire to dedicate or surrender any limitations/features of

subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully

submits that the claims listed above as presently being under consideration in the

application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37

CFR '1.136. Authorization is herein given to charge any shortage in the fees,

including extension of time fees and excess claim fees, to Deposit Account No. 01-

2135 (Case No. 566.46629X00) and please credit any excess fees to such deposit

account.

Based upon all of the foregoing, allowance of all presently-pending claims is

respectfully requested.

Respectfully submitted,

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